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09/785,219	02/20/2001	Kaoru Shimamura	1614.1125	3949

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EXAMINER

WANG, JIN CHENG

ART UNIT	PAPER NUMBER
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2672

DATE MAILED: 04/30/2003

6

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/785,219

Applicant(s)

SHIMAMURA, KAORU

Examiner

Jin-Cheng Wang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 3, 5-7, 9, 10, 12, 14, 16, 18, 20 and 22-25 is/are pending in the application.

4a) Of the above claim(s) ____ is/are withdrawn from consideration.

- 5) ☐ Claim(s) ____ is/are allowed.

- 6) ☒ Claim(s) 1, 3, 5, 6, 7, 9, 10, 12, 14, 16, 18, 20 and 22-25 is/are rejected.

- 7) ☐ Claim(s) ____ is/are objected to.

- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Response to Amendment

1. The amendment filed on 04/21/2003 has been entered. Claims 1, 3, 5, 6, 7, 10, 12, 14, 16, 18, 20 have been amended. Claim 2, 4, 8, 11, 13, 15, 17, 19, 21 has been canceled. Claims 22-25 have been newly added.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 3, 5, 6, 7, 9, 10, 12, 14, 16, 18, 20 and 22-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Hayama et al. U.S. Patent No. 6,421,032.

4. Claim 1:

The Hayama reference has taught a character processing apparatus (figures 11-25) which is connectable to a plurality of input terminal equipments and to a character information creating terminal equipment via a network (column 11, lines 47-67, column 12, lines 1-12, column 17, lines 8-64), comprising:

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(a) A receiving section to receive a request for character information which relates to an external character from one of the input terminal equipments (column 11, lines 60-67, column 12, lines 1-12, and column 17, lines 8-64);

(b) A code allocating section allocating a code to the requested character information (column 17, lines 65-67, and column 18, lines 1-12);

(c) A control section to control creation of character information based on the requested character information, within the character information creating terminal equipment (figure 11, column 11, lines 48-67, and column 12, lines 1-12, column 23, lines 40-67, column 24, lines 1-58, and column 25, lines 11-32);

(d) A setting section setting created character information with respect to the allocated code (column 17, lines 65-67, column 18, lines 1-12, and column 23, lines 3-65).

Claim 3:

The claim 3 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of a distributing section distributing the created character information to the input terminal equipments. However, the Yayama reference further discloses the claimed limitation of a distributing section distributing the created character information to the input terminal equipments (column 20, lines 28-59).

5. Claim 5:

The Hayama reference has taught a character processing system (figures 11-25) comprising:

(a) At least one input terminal equipment (figure 11);

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(b) A character processing apparatus coupled to the at least one input terminal equipment via a network (figure 11);

(c) Said input terminal equipment comprising a requesting section requesting character information, which relates to an external character, with respect to the character processing apparatus (column 11, lines 60-67, column 12, lines 1-12, and column 17, lines 8-64);

(d) Said character processing apparatus further comprising: An allocating section allocating a code to the requested character information requested by the requesting section (column 17, lines 65-67, and column 18, lines 1-12);

(e) A first notifying section notifying the code to the input terminal equipment (figure 20);

(f) A creating section creating the requested character information based on the requested character information (figure 11, column 11, lines 48-67, and column 12, lines 1-12, column 23, lines 40-67, column 24, lines 1-58, and column 25, lines 11-32);

(g) A second notifying section notifying the created character information to the input terminal equipment (figures 24-25).

Claim 6:

The claim 6 encompasses the same scope of invention as that of claim 5 except additional claimed limitation that the first notifying section notifies the code to the input terminal equipment when the code is allocated by the allocating section. However, the Yayama reference further discloses the claimed limitation that the first notifying section notifies the code to the input terminal equipment when the code is allocated by the allocating section (figure 20).

Claim 7:

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The claim 7 encompasses the same scope of invention as that of claim 5 except additional claimed limitation that the first notifying section notifies the code to the input terminal equipment after the code is allocated by the allocating section. However, the Yayama reference further discloses the claimed limitation that the first notifying section notifies the code to the input terminal equipment after the code is allocated by the allocating section (figure 20).

Claim 9:

The claim 9 encompasses the same scope of invention as that of claim 5 except additional claimed limitation that the second notifying section also notifies the code to the input terminal equipment. However, the Yayama reference further discloses the claimed limitation that the second notifying section also notifies the code to the input terminal equipment (figure 20).

Claims 10, 12, 14:

The claim 10, 12, or 14 is a rephrasing of claim 1, 5 and 5 in a method form. The claims are rejected for the same reason as set forth in claims 1 and 5.

Claims 16, 18, 20:

The claim 16, 18, or 20 encompasses the same scope of invention as that of claim 1, 5 and 5 except additional claimed limitation of a storage medium. However, the Yayama reference further discloses the claimed limitation of a storage medium (column 11, lines 48-67, and column 12, lines 1-12).

Claim 22:

The claim 22 encompasses the same scope of invention as that of claim 5 except additional claimed limitation of the character information creating terminal equipment including the creating section. However, Hayama further discloses the claimed limitation of the character

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information creating terminal equipment including the creating section (figure 11, column 11, lines 48-67, and column 12, lines 1-12, column 23, lines 40-67, column 24, lines 1-58, and column 25, lines 11-32).

Claim 23:

The claim 23 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of an environment setting section setting an external character environment to be used in the input terminal equipment. However, Hayama further discloses the claimed limitation of an environment setting section setting an external character environment to be used in the input terminal equipment (column 26, lines 29-55).

Claim 24:

The claim 24 encompasses the same scope of invention as that of claim 5 except additional claimed limitation that is identical to claim 23. The claim is rejected for the same reason as set forth in claim 23.

Claim 25:

The claim 25 encompasses the same scope of invention as that of claim 10 except additional claimed limitation that is identical to claim 23. The claim is rejected for the same reason as set forth in claim 23.

Remarks

6. Applicant's arguments, filed 03/26/2003, paper number 8, have been fully considered but they are not deemed to be persuasive.

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7. The Applicant argues in essence with respect to claim 1 and similar claims that:

“The claims have been generally amended to explain that the character processing system includes a character processing apparatus, a character information creating terminal equipment, and at least one input terminal equipment, coupled via a network, with differing scope and breadth.”

In response, the examiner agrees that applicant amended the claims with differing scope and breadth. Applicant has apparently responded to the cited reference and rejection set forth in the first Office Action. The examiner asserts that applicant's amendment failed to address the rejection set forth in the previous Office Action.

8. The Applicant argues in essence with respect to claim 1 and similar claims that:

“FIG. 11 of Hayama et al. only illustrates a closed system which is closed within the stamp-making apparatus shown in FIGs. 1A and 1B of Hayama et al.... Thus, Hayama et al. fails to disclose or suggest creating an external character in a character processing system having elements coupled via a network, as defined in the independent claims.”

This is not found persuasive for the following reasons:

In response, the examiner considers Hayama's system having a casing with divisional portions to be connectable separate components.

In column 27, lines 4-14, it is stated “It should be noted that while the foregoing embodiment has been described in connection with the stamp-making apparatus having a small display, the present invention may also be applied to a multi-window environment in a personal computer, a work station, or the like which can open a number of windows on a single display screen, wherein an external character such as a convenient-sized figure or the like is created in a

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window of a size substantially equal to that of a so-called icon in a rather small area on the display screen on which a number of windows are open for other operations.”

Therefore, Hayama's apparatus may incorporate a PC or workstation that can not be enclosed in a case. The control block 300 of FIG. 11 having a component of PC or workstation must therefore NOT be enclosed in a case. As a result, a plurality of input terminal equipments of Hayama's apparatus must be connected to the control block via an interface bus or a network interface.

In view of the above, adding the limitation of “which is connectable to a plurality of input terminal equipments and to a character information creating terminal equipment via a network” in the PREAMBLE does not overcome the rejection set forth in this Office Action and the previous Office Action, NOR does it render the claim allowable over the cited art of record.

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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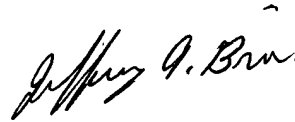
however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jin-Cheng Wang whose telephone number is (703) 605-1213. The examiner can normally be reached on 8:00 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mike Razavi can be reached on (703) 305-4713. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-6606 for regular communications and (703) 308-6606 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 395-3900.

jcw
April 28, 2003


JEFFERY BRIER
PRIMARY EXAMINER